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May 28, 2023

VIA ECF

The Honorable Stewart A. Aaron
United States Magistrate Judge
Southern District of New York
500 Pearl St.
New York, NY 10007-1312

Re: Berger v. United States Dept. of Commerce
22-cv-10257

Dear Judge Aaron:

This firm currently represents Plaintiff in the above referenced action. I submit this letter motion to withdraw as counsel pursuant to the Court's order of May 16, 2023. For the reasons set forth below, I respectfully request that the Court grant this motion in its entirety.

I was retained to act as local counsel in this case for Plaintiff, as the law firm Kennard Law P.C. located at 5120 Woodway Dr., Suite 10010, Houston, TX 77056 was to serve as the primary attorneys responsible for this matter. In this regard, I was informed by Kennard Law P.C. on May 16, 2023 that that attorney handling this matter for the firm, Ellen Sprovach, is no longer with Kennard Law P.C. and that Kennard Law P.C. will no longer be handling this case. Kennard Law P.C. advised me that Plaintiff was informed that Kennard Law P.C. will no longer be handling this case. At this time, no one has entered an appearance on behalf of the Defendant.

Accordingly, for the reasons set forth above, I respectfully request that the Court grant this motion to withdraw. The following is the contact information for Plaintiff: Trent Berger, 6243 Stonehunt Place, Clifton, VA 20124, 304-261-7669, trentberger@gmail.com. A copy of this motion, along with a copy of the Court's order of May 16, 2023, will be sent to Plaintiff via email, and I will ask Kennard Law P.C. to mail a copy of same.

Thank you for your consideration of this request.

Respectfully submitted,

Michael R. DiChiara

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cc: Trent Berger (via electronic mail)